

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,     ) Application No. NG-0022  
on its own motion, seeking to     )  
issue a waiver of the definition     )  
of "high-volume ratepayer" as     ) WAIVER GRANTED  
that definition applies to     )  
particular customers, pursuant     )  
to Nebraska Legislative Bill     )  
499, enacted April 15, 2004.     ) Entered: April 27, 2004

BY THE COMMISSION:

On April 15, 2004, the Nebraska Legislature passed LB 499, with an emergency clause. The bill became effective upon the signature of the Governor on the same day.

LB 499 provides that the Commission may waive application of the definition of "high-volume ratepayer" in the State Natural Gas Regulation Act, for all ratepayers who:

- (a) prior to the effective date of LB 499, obtained natural gas service from a jurisdictional utility pursuant to subsection (2) of former section 19-4604, as such section existed prior to May 24, 2003; and
- (b) whose current consumption of natural gas would qualify such ratepayers to receive natural gas service pursuant to such former section if the section had not been repealed.

All such ratepayers meeting these criteria may be treated as high-volume ratepayers pursuant to the State Natural Gas Regulation Act.

On April 26, 2004, KinderMorgan, a jurisdictional utility, filed with the Commission a list of its customers that meet both conditions. In addition, a representative of each customer submitted a verification that both conditions apply to the customer. The list of customers is as follows:

Baldwin Filters-Gothenburg  
Bethphage Mission (Mosaic)  
Cabela's  
Christian Homes Inc  
Dinklage Feed Yards - Alliance  
Ideal Linen Supply  
IMAC  
IPSCO Tubulars, Inc  
Krone Digital

Nebraska Aluminum Casting  
Orthman Manufacturing  
Panhandle Feeders  
Youth Rehabilitation & Treatment Center - Geneva

The Commission is not currently aware of other affected customers.

O P I N I O N   A N D   F I N D I N G S

The Commission finds that the above-listed customers meet the requirements of LB 499 [2004], and that a waiver should be issued for each customer. This order shall serve as the official waiver.

If the Commission learns of other customers who may be affected by the passage of LB 499 [2004], a waiver for any such customers may be addressed at that time.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that a waiver of the definition of "high-volume ratepayer" is issued for the above-listed customers, pursuant to Legislative Bill 499 [2004].

IT IS FURTHER ORDERED that this order shall serve as such waiver.

MADE AND ENTERED at Lincoln, Nebraska, this 27th day of April, 2004.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Executive Director